



# ACT 76 NEWSLETTER MAY 2023



This newsletter, which is released bi-monthly, is intended to provide updates, information, and resources on Act 76 Subgroups, Clean Water Service Provider and Basin Water Quality Council business, and other Act 76 news. If you would like to be removed from the subgroup newsletter listserv, wish to add a recipient, or have any questions, please email Jay Mullen at [Jay.Mullen@partner.vermont.gov](mailto:Jay.Mullen@partner.vermont.gov).

## CHAPTER 6 GUIDANCE

The subgroup is still in the process of making final revisions and developing the responsiveness summary to the comments received on the final draft. The subgroup is aiming to send out the final version of Chapter 6 by Monday the 15th along with the Responsiveness Summary. At that point there may be workgroup meetings again for the review of Chapter 9 draft.

## CWSP & BWQC HAPPENINGS

The Basin 5 Water Quality Council meets on the third Thursday of each month from 10 a.m. to 11:45 a.m. Agendas, meeting minutes, and other related information is available at [ccrpcvt.org/northern-lake-champlain-basin-water-quality-council/#agendas](http://ccrpcvt.org/northern-lake-champlain-basin-water-quality-council/#agendas).

Addison County Regional Planning Commission anticipates a request for proposals for projects will be sent out by early May with a due date of June 14. Basin 3's BWQC meeting agendas and minutes can be found at [acrpc.org](http://acrpc.org).



## DATA MANAGEMENT

The Data Management chapter of guidance is available online as well as a responsiveness summary addressing the public comments received. Future meetings of the data management subgroup will be held on an ad-hoc basis as needed or requested.

Data Management Guidance:  
<https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76/law-rule-guidance>

Responsiveness Summary:  
<https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76/resources>

## OPERATION AND MAINTENANCE

The subgroup is working to review draft sections of Chapter 7 O&M Guidance. The group met on March 22 and discussed project adoption (existing projects that CWSPs can adopt and assume O&M responsibilities) and content for O&M trainings, which are under development. Feedback about site access agreements was also discussed and the DEC is drafting a cover sheet to accompany this document. At the group's meeting on April 20 they reviewed a draft cover letter for the site access agreement (will be finalized after the next meeting June 6th), and a process map for verification and O&M. The group will continue reviewing draft sections of guidance (decommissioning, and verification and repair), and O&M reporting at its next meeting on June 6.



## RIVERS PROGRAM ANNOUNCEMENT

This year, The Vermont Rivers Program will be on hold for doing any active SGA work. This is to recognize that we do not have full staff capacity to support this work, that we are trying to get our tools updated to better support our partners and consultants doing this work, and to provide time to work with partners to really review the where/what/why SGA data is being collected and how those projects are prioritized for that work. We do not want to discourage folks from looking at doing SGA work, but we also want to make sure we can support that effort and be able to have tools that are updated to function well in that work.

As mentioned, we are working to get our tools updated, for example finally getting field data sheets into electronic format (Survey 123), working to get FIT spatial data sets that can be collected in the field with Arc “field collector”, and a much needed update to the larger SGAT tool – we are living on borrowed time with ArcGIS versions and as things transition to ArcPro this tool is becoming untenable. We’re making good progress but will still need at least this year to get the GIS stuff in place. Getting our tools updated and providing formats to collect data in the field will improve our projects and efforts with our consultants.

We are keenly aware of the interest in the SGA projects and will continue this year to work on getting priorities and SGA needs flushed out such that, hopefully, in 2024 we’ll be in a place where we have a plan in place for where/why/who/how, such that we can more easily support SGA projects. This planning work will happen through work we do with the Basin Planner on identifying SGA priorities in the TBP’s, with partners as they identify areas of interest, and through our States’ Monitoring and Assessment Strategic planning efforts. Decisions on priorities and timing of SGA work will depend on the number, type of projects that are identified, level of need (ie: has some SGA data or has no SGA data), level of DEC staff support available in a region, and funding levels. Though some projects may have to wait “in-line” to be completed as the project list is worked through, if the project is identified as an SGA priority, it will be supported as those resources become available to do so.

While we pause on collecting new SGA data and rework our tools, we encourage our partners to look at the existing SGA data we have collected to work on project ID and development. While some streams have changed a little due to flooding or alteration, the vast majority of these data are still very accurate and useable to continue the process of project ID and development. We have nearly 200 existing reports outlining the geomorphic condition of our streams in Vermont. These Reports are a great resource for looking for existing projects that could be moved toward implementation in your regions. The digital reports are located here: [The subgroup is working to review draft sections of Chapter 7 O&M Guidance. The group met on March 22 and discussed project adoption \(existing projects that CWSPs can adopt and assume O&M responsibilities\) and content for O&M trainings, which are under development. Feedback about site access agreements was also discussed and the DEC is drafting a cover sheet to accompany this document. At the group's meeting on April 20 they reviewed a draft cover letter for the site access agreement \(will be finalized after the next meeting June 6th\), and a process map for verification and O&M. The group will continue reviewing draft sections of guidance \(decommissioning, and verification and repair\), and O&M reporting at its next meeting on June 6.](#)

We appreciate the support from our partners to recognize that SGA is an important part of the work they want to see completed in their watershed and look to use this year to strategize how that may look across the state in the coming year(s).